

REMARKS

Claims 22-43 and 45-50 are currently pending in the subject application and are presently under consideration. Claim 43 has been amended to incorporate aspects of claim 44, which has been cancelled, as shown on pages 2 to 6 of the Reply. Thus, no new matter has been added, and no new search is necessitated by the amendment. Applicants' representative thanks the Examiner for the telephonic interview conducted March 12, 2007, where it was agreed that overlooked aspects of independent claims 22 and 37 may overcome the references cited herein.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 22-31 and 33-50 Under 35 U.S.C. §103(a)

Claims 22-31 and 33-50 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chan, *et al.* (US 6,381,603) in view of Kari, *et al.*, (US 6,154,745). It is respectfully requested that this rejection be withdrawn for at least the following reason. Chan, *et al.* and Kari, *et al.*, when taken either alone or in combination, fail to teach or suggest all aspects recited in the subject claims.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***. See MPEP §706.02(j). The ***teaching or suggestion to make the claimed combination*** and the reasonable expectation of success ***must be found in the prior art and not based on the Applicant's disclosure***. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

Claims 22, 37, and 49

The subject matter claimed herein relates to dynamically pushing information to users of global positioning systems (GPS) based at least in part on the location of the user at a given point in time and based on demographic information about the user. More specifically, independent claim 22 (and similarly claims 37 and 49) recites ***a document that comprises information***

associated with a geographic region; and a component that automatically directs the document to a user upon entrance into the geographic region. Chan, *et al.* and Kari, *et al.* fail to teach or suggest these features alone or in combination.

Chan, *et al.* relates to a system containing a proprietary database whose entries include stores that are indexed with respect to merchandise information, descriptions, position coordinates according to GPS, *etc.* The user of a GPS is able to query the database with desired criteria including the location of the user at that point in time – such location can be acquired from the GPS. The query results are returned and filtered based on the user's location and desired search radius distance. However, Chan, *et al.* fails to teach *a document that comprises information associated with a geographic region; and a component that automatically directs the document to a user upon entrance into the geographic region.*

Conversely, Chan, *et al.* teaches a proprietary database where “[e]ach piece of merchandise information is organized as a *record* in the database.” (See col. 5, ll. 8-9). This cited section also recites a number of related *fields* of the *database records*; however, Chan, *et al.* fails to teach or suggest *a document* as recited in the subject claims, much less *a document that comprises information associated with a geographic region* and that is automatically directed to a user upon entering a geographic region. Thus, the reference is completely silent in this regard as the query results are mere database records where a field may be a position indicator; however, these records are not indicative of documents comprising associated region information as disclosed in the subject claims.

Moreover, the Examiner, though conceding that Chan, *et al.* fails to teach *automatically* directing the document, incorrectly asserts that Chan, *et al.* teaches directing a document to a user upon entrance into the geographic region. However, in the subject matter claimed herein, the directing of the document can be tied to the user's entrance into the geographic region such that the directing of the document is automatically triggered by this event. Once a GPS receiver detects that the user has entered a geographic region, *then* the document is automatically directed to the user in the subject application. Chan, *et al.* is silent in regard to such aspects. In fact, Chan, *et al.* does not recite any automated activity upon entering a new region other than updating GPS coordinates. Directing the document upon entering a new region is an explicitly claimed feature of the applicants' subject matter, and not a side-effect of the general function of GPS type systems as in Chan, *et al.* Thus, Chan, *et al.* is silent in regard to at least these aspects.

The Examiner further offers Kari, *et al.* to cure the deficiency with respect to *automatically* directing the document.

Kari, *et al.* generally relates to a system for providing users with location-specific searching while traveling. This is achieved in short by receiving the user's current location and querying a desired database specifying the location by which the results are to be filtered. Like Chan, *et al.*, however, Kari, *et al.* fails to teach *a document that comprises information associated with a geographic region; and a component that automatically directs the document to a user upon entrance into the geographic region.*

Similarly to Chan, *et al.*, Kari, *et al.* operates with a proprietary database having a plurality of records and thus does not disclose or suggest *a document that comprises information associated with a geographic region* as described by the subject claims. Furthermore, the Examiner cites column 16, lines 18-25 of Kari, *et al.* as teaching automatically directing a document to a user upon entrance into a geographic region. However, while Kari, *et al.* recites "information is updated automatically, i.e. during the trip of the user," it fails to disclose how this takes place. Applicants' claims recite that documents are automatically directed to the user when they enter a geographic region. Kari, *et al.* does not disclose or render this aspect obvious. On the contrary, Kari, *et al.* is a system of querying whereby the user formulates a query of criteria each time information is desired. It follows, then, that any automatic distribution of data in Kari, *et al.* would be by way of automatic query, but the cause of this query is not disclosed or obvious. The query could be submitted on a time basis, for example; without explicit teaching, it is not clear how Kari, *et al.* contemplates the automatic updates. Additionally, however, the subject claims do not require querying for information in the first place.

Conversely, applicants' claims recite directing documents on the event of entering a geographic region. The Specification discloses the use of a GPS receiver which can detect, based on position, when the user enters a new geographic region and subsequently direct information to the user. Again, this does not require a query (new, refreshed, or otherwise) as Kari, *et al.* requires. These are patentable distinctions at least because if Kari, *et al.* queries on a time basis to provide "automatic" information updates, for example, then queries could be running while the user is idle and no new results may be present, whereas in the subject claims,

directing documents upon entering a region mitigates time-based querying as documents are automatically directed when the user enters a new region.

In view of the foregoing, and because Chan, *et al.* and Kari, *et al.* are otherwise silent as ***to a document that comprises information associated with a geographic region; and a component that automatically directs the document to a user upon entrance into the geographic region.*** rejection of independent claims 22, 37, and 49, as well as claims 23-31, 33-36, 38-42, and 50, which respectively depend therefrom, should be withdrawn.

Claim 24

Rejection of claim 24 should be withdrawn for the foregoing reasons and because Chan, *et al.* and Kari, *et al.*, alone or in combination, fail to teach or suggest the document comprising information associated with the geographic region dynamically linked from a database upon entrance into the geographic region where ***the database is the Internet.*** Rather, Chan, *et al.* and Kari, *et al.* both query proprietary remote systems or databases for information. Though the remote systems/databases can be accessed *via* an Internet connection or service provider, the resultant documents are not dynamically linked from the Internet as recited in the subject claims. (See, e.g., Chan, *et al.*, col. 6, ll. 63-65 and Kari, *et al.*, col. 8, ll. 20-25). For at least these additional reasons, Chan, *et al.* and Kari, *et al.*, alone or in combination, fail to teach or suggest aspects of claim 24. Therefore, this rejection should be withdrawn.

Claim 43

Rejection of amended claim 43 should be withdrawn for similar reasons as described above. In particular, claim 43 has been amended to recite aspects of claim 44 which Chan, *et al.* and Kari, *et al.*, alone or in combination, fail to teach or suggest. Specifically, Chan, *et al.* and Kari, *et al.* do not teach or suggest ***delivering a disparate document to the user based at least in part upon a sensed alteration in geographic location of the user.*** Nowhere do these references teach or suggest this feature. The Examiner asserts that Chan, *et al.* teaches this aspect in that the position field of the query system disclosed can be updated by the GPS, however, this is not indicative of sensing an alteration in the location and delivering a document based on this as recited in the subject claim. For at least these reasons, rejection of claim 43 (as well as claims 45-48 which depend therefrom) should be withdrawn.

II. Rejection of Claim 32 Under 35 U.S.C. §103(a)

Claim 32 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Chan, *et al.*, in view of Kari, *et al.*, and Dussell, *et al.* (US 5,938,721). It is requested that this rejection be withdrawn for at least the following reasons. Chan, *et al.*, Kari, *et al.*, and Dussell, *et al.*, when taken either alone or in combination, fail to teach or suggest all aspects recited in the subject claim. More particularly, Dussell, *et al.* fails to make up for the aforementioned deficiencies of Chan, *et al.* and Kari, *et al.* with respect to claim 22, from which claim 32 depends. Accordingly, this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [GLOBP102USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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